

### **REMARKS/ARGUMENTS**

In an Office Action dated January 14, 2005, Examiner rejected claims 22-25 under 35 U.S.C. 102(b) as being anticipated by O'Hair et al. (US 4,646,575). Applicants also note with appreciation the Examiner's indication of allowable subject matter in claims 1-21 and 26-35.

Claim 22: In rejecting claim 22, the Examiner states,

"Regarding claim 22, O'Hair et al. discloses a measurement device diagnostic system (Fig. 4), comprising:

- a measurement device (transducers, Fig. 1) for taking measurements of characteristic of interest (fluid flow, Abstract, line 1);
- a processor (microprocessor, column 4, line 10) not located in said measurement device (microprocessor is not in transducers, Fig. 1);
- means to record data corresponding to said measurements to a memory device (memory for storage is inherent with computations, column 4, lines 20-23);
- means to transmit said data from said memory device to said processor (microprocessor computes data, column 4, lines 20-23)."

See Office Action of January 14, 2005, p. 4.

The Applicants respectfully submit that O'Hair does not anticipate amended claim 22. Applicants have amended claim 22 to identify that the measurement device is a meter. When viewed in this light, claim 22 requires a processor not located in the meter. Allowance of claim 22 is respectfully requested.

Claim 25: Claim 25 is patentable regardless of the amendment to claim 22, and thus has been amended to be put in independent form without the amendment to claim 22. It is not believed that any substantive change has been made to claim 25 by this amendment.

Claim 25 recites that the cited processor is in a portable computer. In rejecting claim 25, at page 5 of the Office Action the Examiner posits that O'Hair et al. discloses that said processor is in a portable computer (microprocessor-based unit, column 4, line 10). It is respectfully submitted that the cited passage does not state that a processor such as recited in claim 25 is located in a portable computer. The passage cited by the Examiner states that, "A

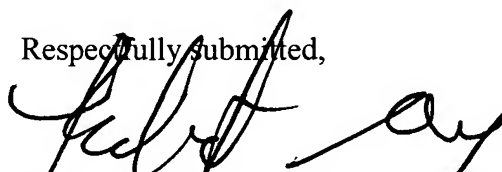
microprocessor-based unit is used to check that each pair of transit times is reasonable, and to reject any for which there is a sudden change in the value of [formula]." '575 patent, col. 4, ll. 9-17. The '575 patent is silent, however, on whether such a processor is portable. As one of ordinary skill in the art is well aware, not every structure having a microprocessor is considered a "portable" computer. The term "portable computer" has a well-accepted meaning and does not encompass every computer or every microprocessor. Simply put, the '575 patent utterly fails to teach or suggest that the microprocessor it mentions would be located in a portable computer.

Allowance of claim 25 is respectfully requested.

Conclusion

Applicants believe that they have fully responded to the Office Action and that the claims as amended are allowable. Applicants respectfully request withdrawal of the rejections and allowance of the claims. If the Examiner has any questions or comments, or otherwise feels it would be advantageous, he is encouraged to telephone the undersigned at (713) 247-0552.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert M. Gray', is written over a horizontal line.

Robert M. Gray  
Reg. No. 41,798  
CONLEY ROSE, P.C.  
P. O. Box 3267  
Houston, Texas 77253-3267  
(713) 238-8000

ATTORNEY/AGENT FOR APPLICANT